

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Apr 19, 2024

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

RANDY LEE TIMENTWA (1),

Defendant.

No. 2:24-CR-00050-MKD-1

STIPULATED PROTECTIVE
ORDER REGARDING
IDENTIFICATION OF MINOR
VICTIMS PURSUANT TO 18 U.S.C.
§ 3509

ECF No. 37

Before the Court is the parties' Stipulation for Protective Order Regarding Identification of Minor Victims Pursuant to 18 U.S.C. § 3509. ECF No. 37. Given the nature of the allegations in this case, the parties stipulate to impose privacy protection measures pursuant to 18 U.S.C. § 3509. The Court has reviewed the record and the motion and finds good cause to grant the motion.

Accordingly, **IT IS HEREBY ORDERED:**

1. The parties' Stipulation for Protective Order Regarding Identification of Minor Victims Pursuant to 18 U.S.C. § 3509, **ECF No. 37**, is **GRANTED**.

1 **2.** The privacy protection measures mandated by 18 U.S.C. § 3509(d),
2 which apply when a case involves a person under the age of eighteen years who is
3 alleged to be a victim of a crime of sexual exploitation, or a witness to a crime
4 committed against another person, apply to this case.

5 **3.** All persons acting in this case in a capacity described in 18 U.S.C. §
6 3509(d)(1)(B), shall:

- 7 a. keep all documents that disclose the names, identities, or any other
8 information concerning minors in a secure place to which no person
9 who does not have reason to know their contents has access;
- 10 b. disclose such documents or the information in them that concerns
11 minors only to persons who, by reason of their participation in the
12 proceeding, have reason to know such information;
- 13 c. not permit Defendant himself to review discovery outside the
14 presence of defense counsel or a defense investigator;
- 15 d. not permit Defendant to keep discovery in his own possession outside
16 the presence of defense counsel or a defense investigator; and
- 17 e. not permit Defendant to keep, copy, or record the identities of any
18 minor or victim identified in discovery in this case.

19 **4.** All papers to be filed in court that disclose the names or any other
20 information identifying or concerning minors shall be filed under seal without

1 necessity of obtaining a Court order, and that the person who makes the filing shall
2 submit to the Clerk of the Court:

- 3 a. the complete paper to be kept under seal; and
- 4 b. the paper with the portions of it that disclose the names or other
5 information identifying or concerning children redacted, to be placed
6 in the public record.

7 **5.** The parties and the witnesses shall not disclose minors' identities
8 during any proceedings connected with this case. The parties and witnesses will
9 refer to alleged minor victims only by using agreed-upon pseudonyms (e.g.,
10 "Minor Victim 1"), rather than their bona fide names, in motions practice, opening
11 statements, during the presentation of evidence, in closing arguments, and during
12 sentencing.

13 **6.** The government may produce discovery to the defense that discloses
14 the identity and images of alleged minor victims in this case, in order to comply
15 with the government's discovery obligations. Defendant, the defense team,
16 Defendant's attorneys and investigators, and all of their externs, employees, and/or
17 staff members, shall keep this information confidential as set forth above.

18 **7.** This ORDER shall apply to any attorneys who subsequently become
19 counsel of record, without the need to renew or alter the ORDER.

1 **8.** This ORDER shall apply to the personal identifying information and
2 images of any minors who are identified over the course of the case, whether or not
3 such minors are known to the government and/or Defendant at the time the
4 ORDER is entered by the Court.

5 **IT IS SO ORDERED.** The Clerk's Office is directed to enter this Order
6 and provide copies to all counsel.

7 **DATED** April 19, 2024.

8 s/Mary K. Dimke
9 MARY K. DIMKE
 UNITED STATES DISTRICT JUDGE